

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DALTON MCWHINNEY,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-05-3927
	§	
PRAIRIE VIEW A&M UNIVERSITY,	§	
DR. JOAHANNE THOMAS-SMITH,	§	
ALBERT GEE, DR. ELIZABETH NOEL,	§	
ALFRED L. PARKS, GEORGE C.	§	
WRIGHT, AND ELMARY WELLS,	§	
IN THEIR INDIVIDUAL AND	§	
OFFICIAL CAPACITY,	§	
	§	
Defendants.	§	

**FINAL JUDGMENT**

For the reasons set forth in the separate Memorandum and Order signed this day, it is

ORDERED that Defendants Prairie View A&M University, Dr. Joahanne Thomas-Smith, Albert Gee, Dr. Elizabeth Noel, Alfred L. Parks, George C. Wright, and Elmary Wells's Motion to Dismiss Plaintiff's Second Amended Complaint (Document No. 13) is GRANTED, and Plaintiff Dalton McWhinney's suit is DISMISSED without prejudice.

This is a **FINAL JUDGMENT**.

The Clerk will enter this Order, providing a correct copy to all counsel of record.

SIGNED at Houston, Texas, on this 7th day of August, 2006.

  
EWING WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE